

EXHIBIT A

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October 22, 2015

VIA EMAIL AND FIRST CLASS MAIL

Helen Davis Chaitman (hchaitman@chaitmanllp.com)
Leslie Treff (ltreff@chaitmanllp.com)
Chaitman, LLP
465 Park Avenue
New York, New York 10022

Re: Adv. Pro. No. 10-04377 (SMB); *Picard v. Carol Nelson, individually
and as joint tenant, et al.*;

Adv. Pro. No. 10-04658 (SMB); *Picard v. Carol Nelson*

Dear Counsel:

You claim without specificity that the Trustee's responses are problematic. It appears that you are concerned about Defendants' Interrogatory Nos. 1 and 2, and Requests for Production Nos. 3, 10, 11, where the Trustee refers Defendants to E-Data Room 1.

With respect to Request for Production No. 11, Appendices previously sent to the Nelsons with the Trustee's Initial Disclosures on September 29, 2014 are attached.¹ The Appendices provide specific Bates numbers; and except for the two documents bearing Control Nos. MADWAA00391838 and MADWAA00051674, they refer to cancelled checks in the relevant Accounts. The document production was supplemented on May 1, 2015, with a production of documents received from JPMorgan Chase Bank, N.A.

With respect to Interrogatory Nos. 1 and 2, and Requests for Production Nos. 3 and 10, we will need to meet to confer regarding our objections to these requests. As served, the requests are objectionable, and Defendants have failed to make any attempt to confer or amend the requests.

¹ The Trustee's Initial Disclosures documents were produced to Defendants while they were represented by Elise S. Frejka, formerly of Kramer Levin Naftalis & Frankel, LLP.

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The objections were appropriately asserted. *See, e.g.*, Section 4.C. of Exhibit A to the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order; Fed. R. Civ. P. 33 (requiring answer to interrogatory "to the extent it is not objected to"); Fed. R. Civ. P. 34 (requiring inspection of items not objected to). The Trustee is not obligated to answer objectionable discovery requests, but we are willing to work with you to resolve the objections.

The Nelsons' former counsel, Elise S. Frejka, received credentials needed to access E-Data Room 1 on November 6, 2014. Due to the Nelsons' change in counsel and your subsequent relocation from Becker & Polikoff LLP to Chaitman LLP, new Non-Disclosure Agreements and Undertaking and Consent to be Bound must be executed. On October 14, 2015, we received your executed Undertaking and Consent to be Bound, but we have yet to receive the Non-Disclosure Agreements. As indicated in our October 13, 2015 letter, once Chaitman LLP signs and returns the Non-Disclosure Agreements, you will receive credentials needed to access E-Data Room 1, along with a manual detailing its contents. When you access the Data Room, you will see that there are three primary categories of document trees: Data, Documents, and Financials. The Data tree consists of customer statements, categorized by the relevant source (e.g., Microfilm, StorQM, etc.). The Documents tree consists of a variety of BLMIS operational documents, as well as various third party and publically filed records organized by category, institution, and/or individual. The Financials tree similarly contains documents organized by the relevant financial institution. All of these folders and subfolders are fully searchable. In short, the Data Room's organization and search functions as described in the Manual make the large volume of fraud and insolvency documents accessible and navigable.

We also need to discuss the Nelsons' discovery deficiencies:

1. The Nelsons did not verify their responses to the Trustee's Second Set of Interrogatories.
2. The responses to the Trustee's Second Set of Interrogatories are inconsistent with Defendants' initial and amended disclosures.
3. Blanket denials to all of the Trustee's Requests for Admission and Defendants' refusal to explain must be resolved. For example, in her Answer in APN 10-0658, Defendant Carol Nelson admits the allegations in Paragraph 9 of the Trustee's Complaint – including the names in which both of the relevant BLMIS accounts were maintained. Yet, she denies Trustee's RFA No. 12 asking her to admit that Account No. 1ZR265 was maintained in the name of NTC & Co. FBO Carol Nelson. She does not explain the basis for her denial, except to say it is based on her "personal knowledge."

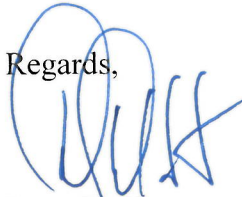
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4. Steps Defendants took to preserve the documents identified in their Initial Disclosures as being in their possession and control, but which they no longer have, must be discussed.

We are available to meet telephonically to confer on discovery issues during the weeks of October 26 and November 2. Please let us know your availability. We look forward to speaking with you.

Regards,



Dean D. Hunt
Of Baker & Hostetler, LLP

Enclosures

Bernard L. Madoff Investment Securities, LLC

BLMIS Bank Document Reference List - 1ZR265 / NTC & CO. FBO CAROL NELSON (47003)

Account	Document Control No.	Document Ending Bates Page No.	Page Count	Reference Beginning Bates Page No.	Reference Ending Bates Page No.	Page Count
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BLMIS Bank Document Reference List - 1ZA283 / CAROL NELSON

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BLMIS Bank Document Reference List - 1ZA283 / CAROL NELSON

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BLMIS Bank Document Reference List - 1ZA284 / CAROL NELSON AND STANLEY NELSON J/T WROS

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1ZA284	MADWAA00152075	MADWAA00152076	2	MADWAA00152075	MADWAA00152076	2
1ZA284	MADWAA00157843	MADWAA00157844	2	MADWAA00157843	MADWAA00157844	2
1ZA284	MADWAA00160067	MADWAA00160068	2	MADWAA00160067	MADWAA00160068	2
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1ZA284	MADWAA00190613	MADWAA00190614	2	MADWAA00190613	MADWAA00190614	2
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1ZA284	MADWAA00196374	MADWAA00196375	2	MADWAA00196374	MADWAA00196375	2
1ZA284	MADWAA00199820	MADWAA00199821	2	MADWAA00199820	MADWAA00199821	2

Bernard L. Madoff Investment Securities, LLC

BLMIS Bank Document Reference List - 1ZA284 / CAROL NELSON AND STANLEY NELSON J/T WROS

Account	Document Control No.	Document Ending Bates Page No.	Page Count	Reference Beginning Bates Page No.	Reference Ending Bates Page No.	Page Count
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1ZA284	MADWAA00206510	MADWAA00206511	2	MADWAA00206510	MADWAA00206511	2
1ZA284	MADWAA00209360	MADWAA00209361	2	MADWAA00209360	MADWAA00209361	2
1ZA284	MADWAA00211346	MADWAA00211347	2	MADWAA00211346	MADWAA00211347	2
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1ZA284	MADWAA00259821	MADWAA00259822	2	MADWAA00259821	MADWAA00259822	2
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Picard v. Carol Nelson, Adv. Pro. No. 10-04377 (SMB)

Appendix B

Bernard L. Madoff Investment Securities, LLC

BLMIS Bank Document Reference List - 1ZA284 / CAROL NELSON AND STANLEY NELSON J/T WROS

Account	Document Control No.	Document Ending Bates Page No.	Page Count	Reference Beginning Bates Page No.	Reference Ending Bates Page No.	Page Count
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Dean D. Hunt
direct dial: 713.646.1346
dhunt@bakerlaw.com

November 20, 2015

VIA EMAIL AND FIRST CLASS MAIL

Helen Davis Chaitman (hchaitman@chaitmanllp.com)
Leslie Treff (ltreff@chaitmanllp.com)
Chaitman, LLP
465 Park Avenue
New York, New York 10022

Re: Adv. Pro. No. 10-04377 (SMB); *Picard v. Carol Nelson, individually
and as joint tenant, et al.*;

Adv. Pro. No. 10-04658 (SMB); *Picard v. Carol Nelson*

Dear Counsel:

We write again to address your clients' discovery deficiencies that were previously detailed in our October 22, 2015 letter. We invited a meet and confer, but received no response. Also, in an effort to streamline discovery matters, we sent you Stipulations as to Undisputed Transfers on October 16, 2015 for consideration. We received no response.

In view of the approaching December 7, 2015 close of discovery deadline, please remedy the discovery deficiencies by no later than November 30, 2015 as follows:

1. Respond to the Trustee's Second Set of Requests for Production;
2. Verify the responses to the Trustee's Second Set of Interrogatories;
3. Explain the steps taken to preserve the documents identified in Defendants' Initial Disclosures as being in their possession and control, but which they no longer have despite having received the enclosed document preservation letters through their former counsel on March 24, 2011 and April 14, 2011; and

November 20, 2015

Page 2

4. Provide the basis for the blanket denials to all of the Trustee's Requests for Admission. For example, in her Answer in APN 10-0658, Defendant Carol Nelson admits the allegations in Paragraph 9 of the Trustee's Complaint – including the names in which both of the relevant BLMIS accounts were maintained. Yet, she denies Trustee's RFA No. 12 asking her to admit that Account No. 1ZR265 was maintained in the name of NTC & Co. FBO Carol Nelson. She does not explain the basis for her denial, except to say it is based on her "personal knowledge."

If you do not intend to remedy the discovery responses or provide an acceptable Stipulation, we request a telephonic conference to discuss the deficiencies next week. Please let us know if we need to take that step.

Regards,

A handwritten signature in blue ink that reads "Dean D. Hunt" followed by a stylized monogram or initials.

Dean D. Hunt
Of Baker & Hostetler, LLP

Enclosures

Baker Hostetler

Baker & Hostetler LLP

1000 Louisiana
Suite 2000
Houston, TX 77002-5018

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March 24, 2011

Juliana Oliveira
Kramer, Levin, Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036

Dean D. Hunt
direct dial: 713.646.1346
dhunt@bakerlaw.com

Re: Adv. Pro. No. 10-04377 (BRL); *Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC v. Carol Nelson, individually and as joint tenant, and Stanley Nelson, individually and as joint tenant*; In the United States Bankruptcy Court for the Southern District of New York

Dear Ms. Oliveira:

We received notice that you are counsel for Carol Nelson, individually and as joint tenant. Please be advised your client is not to destroy, conceal, or alter any paper or electronic files or any other electronically generated or stored information on computers or storage media that your client may have in her possession, custody, or control that may be related to this matter. Carol Nelson, individually and as joint tenant is under a legal duty to preserve, retain, and protect all possibly relevant evidence. Relevant evidence may include: all communications with Bernard L. Madoff Investment Securities LLC ("BLMIS") and any employees or principals of BLMIS; account statements and trade confirmations; Carol Nelson, individually and as joint tenant's financial records evidencing transfers to or from BLMIS, including any subsequent transfers; any research or due diligence Carol Nelson, individually and as joint tenant performed prior to investing; documents regarding any referrals or introductions to BLMIS; documents regarding Carol Nelson, individually and as joint tenant's finances. Failure to do so may constitute spoliation of evidence and may subject her to legal claims for damages or evidentiary and monetary sanctions.

Specifically, Carol Nelson, individually and as joint tenant is instructed not to destroy, disable, erase, encrypt, alter, or otherwise make unavailable any electronic evidence with respect to the above-referenced case, and is further instructed to take reasonable efforts to preserve such data. In addition, your client is instructed not to pack, compress, purge or otherwise dispose of files or parts of files unless a true and correct copy of such files is made. To meet this burden, she is instructed by way of example and not limitation to:


Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC

Juliana Oliveira
March 24, 2011
Page 2

- preserve and retain all electronic data in any format, media, or location relating to the above-referenced case, including data on floppy disks, zip disks, CDs, DVDs, thumb drives, hard drives, tapes, PDAs, cell phones, memory cards/sticks, or electronic voice mail;
- preserve all data storage backup files (i.e., not overwrite any previously existing backups);
- preserve e-mail, including webmail such as Gmail, Yahoo or Hotmail, and information about e-mail (including message contents, header information and logs of e-mail system usage);
- preserve word processing files, including prior drafts, "deleted" files, and file fragments;
- preserve and retain all data from servers and networking equipment logging network access activity and system authentication;
- prevent others with access to relevant files from deleting or overwriting any electronic data related to this case; and
- take such other security measures, including, but not limited to, restricting physical and electronic access to all electronically stored data directly or indirectly relating to the above-referenced case.

We are willing to conduct an early meet and confer session with you to discuss the sources of Carol Nelson, individually and as joint tenant's data and the steps that will need to be taken to preserve that data. We are also willing to coordinate with Carol Nelson, individually and as joint tenant on the preservation, collection and processing of relevant data.

Sincerely,



Dean D. Hunt

DDH/ks

Baker Hostetler

Baker & Hostetler LLP

1000 Louisiana
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April 14, 2011

Philip Bentley
Kramer, Levin, Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036

Dean D. Hunt
direct dial: 713.646.1346
dhunt@bakerlaw.com

Re: Adv. Pro. No. 10-04658 (BRL); *Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC v. NTC & Co., LLP, as former custodian of an Individual Retirement Account for the benefit of Carol Nelson, and Carol Nelson*; In the United States Bankruptcy Court for the Southern District of New York

Dear Mr. Bentley:

We received notice that you are counsel for Carol Nelson. Please be advised your client is not to destroy, conceal, or alter any paper or electronic files or any other electronically generated or stored information on computers or storage media that your client may have in her possession, custody, or control that may be related to this matter. Carol Nelson is under a legal duty to preserve, retain, and protect all possibly relevant evidence. Relevant evidence may include: all communications with Bernard L. Madoff Investment Securities LLC ("BLMIS") and any employees or principals of BLMIS; account statements and trade confirmations; Carol Nelson's financial records evidencing transfers to or from BLMIS, including any subsequent transfers; any research or due diligence Carol Nelson performed prior to investing; documents regarding any referrals or introductions to BLMIS; documents regarding Carol Nelson's finances. Failure to do so may constitute spoliation of evidence and may subject her to legal claims for damages or evidentiary and monetary sanctions.

Specifically, Carol Nelson is instructed not to destroy, disable, erase, encrypt, alter, or otherwise make unavailable any electronic evidence with respect to the above-referenced case, and is further instructed to take reasonable efforts to preserve such data. In addition, your client is instructed not to pack, compress, purge or otherwise dispose of files or parts of files unless a true and correct copy of such files is made. To meet this burden, she is instructed by way of example and not limitation to:

- preserve and retain all electronic data in any format, media, or location relating to the above-referenced case, including data on floppy disks, zip disks, CDs, DVDs, thumb drives, hard drives, tapes, PDAs, cell phones, memory cards/sticks, or electronic voice mail;

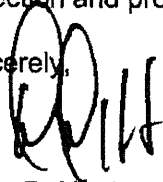
Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC

Philip Bentley
April 14, 2011
Page 2

- preserve all data storage backup files (i.e., not overwrite any previously existing backups);
- preserve e-mail, including webmail such as Gmail, Yahoo or Hotmail, and information about e-mail (including message contents, header information and logs of e-mail system usage);
- preserve word processing files, including prior drafts, "deleted" files, and file fragments;
- preserve and retain all data from servers and networking equipment logging network access activity and system authentication;
- prevent others with access to relevant files from deleting or overwriting any electronic data related to this case; and
- take such other security measures, including, but not limited to, restricting physical and electronic access to all electronically stored data directly or indirectly relating to the above-referenced case.

We are willing to conduct an early meet and confer session with you to discuss the sources of Carol Nelson's data and the steps that will need to be taken to preserve that data. We are also willing to coordinate with Carol Nelson on the preservation, collection and processing of relevant data.

Sincerely,

A handwritten signature in black ink, appearing to read "DDH", is written over the word "Sincerely,".

Dean D. Hunt

DDH/ks

Baker Hostetler

Baker & Hostetler LLP

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www.bakerlaw.com

March 24, 2011

Juliana Oliveira
Kramer, Levin, Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036

Dean D. Hunt
direct dial: 713.646.1346
dhunt@bakerlaw.com

Re: Adv. Pro. No. 10-04377 (BRL); *Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC v. Carol Nelson, individually and as joint tenant, and Stanley Nelson, individually and as joint tenant*; In the United States Bankruptcy Court for the Southern District of New York

Dear Ms. Oliveira:

We received notice that you are counsel for Stanley Nelson, individually and as joint tenant. Please be advised your client is not to destroy, conceal, or alter any paper or electronic files or any other electronically generated or stored information on computers or storage media that your client may have in his possession, custody, or control that may be related to this matter. Stanley Nelson, individually and as joint tenant is under a legal duty to preserve, retain, and protect all possibly relevant evidence. Relevant evidence may include: all communications with Bernard L. Madoff Investment Securities LLC ("BLMIS") and any employees or principals of BLMIS; account statements and trade confirmations; Stanley Nelson, individually and as joint tenant's financial records evidencing transfers to or from BLMIS, including any subsequent transfers; any research or due diligence Stanley Nelson, individually and as joint tenant performed prior to investing; documents regarding any referrals or introductions to BLMIS; documents regarding Stanley Nelson, individually and as joint tenant's finances. Failure to do so may constitute spoliation of evidence and may subject him to legal claims for damages or evidentiary and monetary sanctions.

Specifically, Stanley Nelson, individually and as joint tenant is instructed not to destroy, disable, erase, encrypt, alter, or otherwise make unavailable any electronic evidence with respect to the above-referenced case, and is further instructed to take reasonable efforts to preserve such data. In addition, your client is instructed not to pack, compress, purge or otherwise dispose of files or parts of files unless a true and correct copy of such files is made. To meet this burden, he is instructed by way of example and not limitation to:

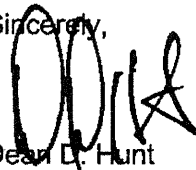
Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC

Juliana Oliveira
March 24, 2011
Page 2

- preserve and retain all electronic data in any format, media, or location relating to the above-referenced case, including data on floppy disks, zip disks, CDs, DVDs, thumb drives, hard drives, tapes, PDAs, cell phones, memory cards/sticks, or electronic voice mail;
- preserve all data storage backup files (i.e., not overwrite any previously existing backups);
- preserve e-mail, including webmail such as Gmail, Yahoo or Hotmail, and information about e-mail (including message contents, header information and logs of e-mail system usage);
- preserve word processing files, including prior drafts, "deleted" files, and file fragments;
- preserve and retain all data from servers and networking equipment logging network access activity and system authentication;
- prevent others with access to relevant files from deleting or overwriting any electronic data related to this case; and
- take such other security measures, including, but not limited to, restricting physical and electronic access to all electronically stored data directly or indirectly relating to the above-referenced case.

We are willing to conduct an early meet and confer session with you to discuss the sources of Stanley Nelson, individually and as joint tenant's data and the steps that will need to be taken to preserve that data. We are also willing to coordinate with Stanley Nelson, individually and as joint tenant on the preservation, collection and processing of relevant data.

Sincerely,



Dean D. Hunt

DDH/ks

Muranovic, Sanja

From: Carlisle, Marie L.
Sent: Friday, December 11, 2015 8:16 AM
To: Leslie Treff (ltreff@chaitmanllp.com)
Cc: Muranovic, Sanja; Hunt, Dean D.
Subject: Picard v Nelson, Adv Pro Nos. 10-04377 and 10-04658 - Meet and Confer

Leslie,

I wanted to follow up with you to memorialize what was discussed in our meet and confer in the above referenced adversary proceedings yesterday, December 10, 2015.

With respect to the defendants' discovery deficiencies, as outlined in the Nov. 20, 2015 letter sent to you from Mr. Hunt, we agreed to the following:

1. As to defendants responses to the Trustee's Second Set of Requests for Production, you stated that responses would be forthcoming by Dec. 23, 2015.
2. As to the missing verifications for the defendants' responses to the Trustee's Second Set of Interrogatories, you stated that you were not aware they were sent without the verifications, but would look for them and would get back to me on the issue early next week.
3. As to the steps taken by defendants to preserve relevant documents, in light of their prior inconsistent positions regarding documents in their possession, custody or control, you stated that did not know the details of the situation, but that you will investigate and get back to us on this issue as well.
4. As to the blanket denials of the Trustee's Requests for Admission, sometimes in contradiction to statements admitted in their answers, and failure to provide a factual basis for those denials, you stated that you will also investigate and will get back to us on that issue, with amended responses if appropriate, by December 23rd.

We also discussed the proposed stipulation as to undisputed transfers sent on October 16, 2015, you stated that Ms. Chaitman has the draft and that you have not heard back from her. You stated that you would discuss the stipulations with Ms. Chaitman this weekend and get back to me early next week on the issue.

You let me know that as of yesterday you are able to access and view documents within E Data Room 1, after several back and forth attempts with both her and BakerHostetler's technical support. She further stated that, given their access to EDR1, they would not seek further extension of the deadline for close of fact discovery, which the parties have agreed is Dec. 30, 2015.

The call wrapped up with your inquiry regarding marketing materials involved in the sale of BLMIS's proprietary business. We believe that this inquiry falls under the Nelsons' Request for Production number 2 served to the Trustee. I explained that to the extent it does, we primarily object to producing responsive documents relevance grounds. You agreed to speak with Ms. Chaitman to provide us with your position regarding the relevance of the documents and I stated that our team will search to determine whether we possess any of the marketing materials requested beyond the information provided in our response to that Request for Production.

Please let me know if anything above is incorrect or differs from your notes regarding our discussion.

Thanks,

Marie

My Bio	Web site	vCard
T 713.646.1388 F 713.751.1717 www.bakerlaw.com	Marie Carlisle mcarlisle@bakerlaw.com	BakerHostetler 811 Main Street Suite 1100 Houston, TX 77002-6111 BakerHostetler

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Dean D. Hunt
direct dial: 713.646.1346
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December 28, 2015

VIA EMAIL AND FIRST CLASS MAIL

Helen Davis Chaitman (hchaitman@chaitmanllp.com)
Leslie Treff (ltreff@chaitmanllp.com)
Chaitman, LLP
465 Park Avenue
New York, New York 10022

Re: Adv. Pro. No. 10-04658 (SMB); *Irving H. Picard, Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC v. Carol Nelson*; and Adv. Pro. No. 10-04377 (SMB); *Irving H. Picard, Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC v. Carol Nelson and Stanley Nelson JTWROS*; In the United States Bankruptcy Court for the Southern District of New York.

Dear Leslie:

I am writing again to follow up on our meet and confer of December 10, 2015 in which we discussed the discovery deficiencies outlined in the Trustee's October 22, 2015 and November 20, 2015, letters.

During that call we agreed to the following:

1. You stated that Defendants' responses to the Trustee's Second Set of Requests for Production, served on August 26, 2015, would be forthcoming by Dec. 23, 2015.
2. You stated that you would investigate what happened to the missing verification for the Defendants' October 12, 2015 responses to the Trustee's Second Set of Interrogatories and would get back to us early the week of December 14, 2015, with the verification.
3. You agreed to investigate and to get back with us regarding the steps taken by Defendants to preserve relevant documents, in light of their inconsistent positions in their Initial Disclosures and responses to the Trustee's First Sets of Interrogatories and Requests for Production regarding documents in their possession, custody or control.

December 28, 2015

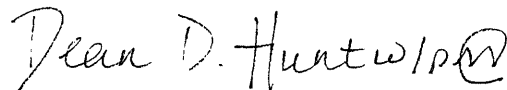
Page 2

4. You agreed to investigate the Defendants' blanket denials of the Trustee's Requests for Admission, in many circumstances in contradiction to statements admitted in their answers, and failure to provide a factual basis for those denials. You committed to getting back to us on that issue, with amended responses if appropriate, by December 23, 2015.
5. You agreed to speak with Ms. Chaitman regarding the Trustee's proposed stipulation as to undisputed transfers provided to you on October 16, 2015, and provide a response early in the week of December 14, 2015.

Notwithstanding these agreements, and my December 21, 2015, email requesting an update on the information we agreed would be provided the week prior, to date you have not provided any of the above, including responses to the Trustee's Second Set of Requests for Production, served on August 26, 2015, over four months ago. Therefore, I am again following up in an attempt to resolve these issues without seeking intervention of the Court. Given the approaching close of discovery deadline of December 30, 2015, we will have no choice but to file a letter with the Court seeking a discovery conference pursuant to Local Bankruptcy Rule 7007-1(b) and Judge Bernstein's Chambers Rules, if we do not receive a response to the above issues prior to the close of business today.

If you have any questions, please contact me or Rachel M. Smith at (713) 646-1386.

Regards,

A handwritten signature in dark ink that reads "Dean D. Hunt w/pw". The signature is written in a cursive, slightly slanted style.

Dean D. Hunt
Of Baker & Hostetler, LLP